

BY REPRESENTATIVE KLECKLEY

To enact R.S. 22:1016, relative to programs offered by health insurance issuers; to authorize and otherwise provide with respect to voluntary wellness or health improvement programs to be offered by such issuers; and to provide for related matters.

Section 1. R.S. 22:1016 is hereby enacted to read as follows:

A. A health insurance issuer may offer a voluntary wellness or health improvement program that allows for rewards or incentives including but not limited to merchandise, gift cards, debit cards, premium discounts or rebates, contributions toward a member's health savings account, modifications to copayment, deductible, or coinsurance amounts, or any combination of these incentives to encourage participation or to reward for participation in the program.

B. Any reward or incentive established under this Section shall not violate Part IV of Chapter 7 of this Title if disclosed in the policy or certificate of authority of the health insurance issuer and filed with the Department of Insurance in accordance with existing state requirements.

C. The insured or enrollee may be required to provide verification, such as a statement from his physician, that a medical condition makes it unreasonably difficult or medically inadvisable for the individual to participate in the wellness or health improvement program.

D. Nothing in this Section shall prohibit health insurance issuers from offering incentives or rewards to members for adherence to wellness or health improvement programs if otherwise allowed by state or federal law.

1 E. As used in this Section, "health insurance issuer" means any entity that
 2 offers health insurance coverage through a policy or certificate of insurance subject
 3 to state law that regulates the business of insurance. For purposes of this Section, a
 4 "health insurance issuer" shall include a health maintenance organization, as defined
 5 and licensed pursuant to Subpart I of Part I of Chapter 2 of this Title, nonfederal
 6 government plans subject to the provisions of Subpart B of Part II of Chapter 6 of
 7 this Title, and the Office of Group Benefits.

8 Section 2. This Act shall become effective upon signature by the governor or, if not
 9 signed by the governor, upon expiration of the time for bills to become law without signature
 10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 12 effective on the day following such approval.

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____